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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,538	11/30/2001	Huy P. Nguyen	PALM-3778	9994

7590 11/01/2005
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EXAMINER

AMINI, JAVID A

ART UNIT PAPER NUMBER

2672

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/006,538

Applicant(s)

NGUYEN ET AL

Examiner

Javid A. Amini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Arguments

Applicant's arguments filed 11/17/2004 have been fully considered but they are not persuasive.

Applicant on page 8 argues that the reference Iwata does not teach the claim limitations recited in claim 1 of a sensing device capable of indicating a relative position of an edge of the sliding display cover with respect to the display, and the relative position identifies a display object on the display as claimed above.

Examiner's reply: Iwata in col. 5 at lines 60-67 (under subject of "summary of the invention") clearly discloses that the mobile information terminal equipment may further comprise a display unit for displaying information on a display area in part of the surface of the mobile information terminal equipment, a location detector for detecting a location of the slide cover, and a display switch for changing a size (Examiner's interpretation: i.e. equivalent to claim language of "relative position") of the display area for displaying information and a displaying direction of information according to the location of the slide cover detected by the location detector.

Applicant on the same page argues that the reference Iwata does not teach performing an action involving the displayed object in response to a signal and wherein the signal is user initiated.

Examiner's reply: it is very obvious for performing an action related to displayed object in response to a signal, wherein the signal is user initiated. Another words the user is the only one to attempt using the handheld computer. Examiner's comment: The term Applicant uses in the claim 1 as a "signal" requires providing more information as e.g. what type of signal, what

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are the specification of that signal, or what is the power for that signal. Question for Applicant: does Applicant know any other alternative way to activate a signal without a user initiated?

Applicant on page 9 argues that the reference dose not teach cover switch 9 can detect any position of cover 7 other than a fully closed position.

Examiner's reply: There are no such limitations i.e. cover switch 9 and cover 7, claimed in the claim1. *id.*, Iwata in col. 5 at lines 60-67 (under subject of "summary of the invention") clearly discloses that the mobile information terminal equipment may further comprise a display unit for displaying information on a display area in part of the surface of the mobile information terminal equipment, a location detector for detecting a location of the slide cover, and a display switch for changing a size of the display area for displaying information and a displaying direction of information according to the location of the slide cover detected by the location detector.

Applicant on pages 9-28 repeated similar arguments as previously mentioned.

Examiner's suggestion: Encourages Applicant to schedule an interview.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata et al. U.S. Patent 6,535,749 (hereafter, Iwata).

Regarding Independent claim 1, “a handheld computer comprising: a processor module comprising a processor and a display [Iwata disclose in col. 13 line 7 and line 12-15 and in Fig. 3]; a sliding display cover moveably coupled to said processor module [Iwata disclose in col. 8 line 35]; a sensing device coupled to said processor module and to said sliding display cover for providing geometric information for a plurality of positions indicating a relative position of an edge of said sliding display cover with respect to said display, Iwata in col. 5 at lines 60-67 (under subject of “summary of the invention”) clearly discloses that the mobile information terminal equipment may further comprise a display unit for displaying information on a display area in part of the surface of the mobile information terminal equipment, a location detector for detecting a location of the slide cover, and a display switch for changing a size of the display area for displaying information and a displaying direction of information according to the location of the slide cover detected by the location detector.; and, a device driver for performing an action related to said displayed object in response to a signal, wherein said signal is user initiated, [Iwata discloses in col. 5 lines 64-67]. Iwata is silenced about the following claim

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limitations: wherein said relative position identifies a displayed object on said display. Applicant needs to specify whether the identification of displayed object is done automatically or manually.

It would have been obvious to one of ordinary skill in the art at the time of the invention to substitute applicant's described structure, by modifying the Iwata's invention with a switch to identify the relative position of displayed object on the display.

Regarding dependent claim 2, "the handheld computer of claim 1, wherein said action is a visual configuration of said display." Iwata disclose in col. 5 lines 63-64.

Regarding dependent claim 3, "the handheld computer of claim 1, further comprising a wireless transmitter, and wherein said action is an initiation of communication with another device using said wireless transmitter."

Iwata disclose in Fig. 3 a "radio transmission" which is interpreted to be "wireless transmitter" and further Iwata disclose "wherein said action is the initiation of communication with another device using said wireless transmitter." in col. Col. 1 line 42-56 by stating "Telephone keyboard 6 for dialing keys is placed on the top of cover 7 installed on a mobile information terminal equipment body 1. Electronic note Keyboard 8 for character data input keys is installed from the back of cover 7 to the area covered by cover 7. A telephone mode and an electronic note mode are switched based on the output from a cover switch 9, which detects the opened/closed status of cover 7. When the cover is closed, the telephone mode is set, enabling the user to use the equipment as a regular mobile telephone. Meanwhile, the electronic note mode is set as the cover is opened, thus allowing the user to use it as an ordinary electronic note."

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Regarding dependent claim 4, “the handheld computer of claim 1, further comprising a wireless transmitter, and wherein said action is an initiation of communication with an external device, using said wireless transmitter.” Iwata disclose in col.1 line 42-56.

Regarding dependent claim 5, “the handheld computer of claim 1, wherein said sensing device is a non-contact sensor device.” Iwata disclose in col. 28 lines 59-60 by stating “a means for detecting the door opened/closed” and therefore sensing device could be a non-contact sensor device.

Regarding dependent claim 6, “the handheld computer of claim 1, wherein said display is a touch panel display forming a part of said sensing device.” Iwata disclose in col. 29 lines 63-65.

Regarding dependent claim 7, “the handheld computer of claim 1, wherein said sliding cover comprises an input device coupled to said processor module.” Iwata disclose in col. 1 line 46-48.

Claims 8 -10 recite method steps performed by the apparatus of claims 1 and 3; therefore they are similar in scope and rejected under the same rationale.

Regarding dependent claim 11, “a method as described in claim 8 wherein said action is a display of related additional information to said portion of said information.” Iwata disclose in col. 7 lines 34-42 and col. 54-58.

Regarding dependent claim 12, “a method as described in claim 8 wherein said selection device is a key.” Iwata disclose in col. 8 lines 31-35.

Regarding dependent claim 13, “a method as described in claim 8 wherein said sliding cover comprises a keyboard.” Iwata disclose in col. 1 line 46-48 and col. 22 lines 64-65.

Regarding dependent claim 14, “a method as described in claim 8 wherein said sliding cover further comprises a microphone.” Iwata disclose in col. 8 lines 11-16.

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Regarding dependent claim 15, “a method as described in claim 8 wherein said sliding cover further comprises a speaker.” Iwata disclose in col. 8 lines 11-16.

Claims 16-20 recite a computer readable medium containing executable instructions for executing the method of claims 8-11. It is obvious to have a medium configured to store or transport computer readable code in a computer system. For example compact disc has been included and used in the computer systems since 1990s or magnetic data storage devices have been used since 1980s. Also Iwata disclose a software application included in his handheld computer in col. 30 lines 58 – col. 31 line 10.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


J. Amini
PRIMARY EXAMINER

Javid A Amini
Examiner
Art Unit 2672

Javid Amini